

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

GERALD A. KELLOGG,)	
)	
Plaintiff,)	8:07CV70
)	
vs.)	ORDER
)	
NIKE, INC. and NIKE USA, INC.,)	
)	
Defendants.)	

This matter comes before the court on the defendants' Motion to Extend the Deadlines for Expert Depositions and ***Daubert*** Motions (Filing No. 204). The defendants state they have been unable to complete the deposition of the plaintiff's "damages expert," but anticipate taking the deposition in early August. For this reason the defendants seek to extend the deadlines for depositions and ***Daubert*** motions from July 21, 2008, to August 13, 2008. The defendants state the extension should not delay the September 22, 2008 trial date. The plaintiff opposes the extension of time for the ***Daubert*** motion. The plaintiff contends the defendants failed to show good cause for the extension because the defendants had plenty of opportunity prior to the expiration of deadlines to depose the expert, Mr. Cheese. **See** Filing No. 211 - Brief; Filing No. 212 - Index. The court finds the defendants have failed to show good cause to extend the deadline for filing ***Daubert*** motions. The court will extend the deposition deadline as agreed by the parties. Upon consideration,

IT IS ORDERED:

The defendants' Motion to Extend the Deadlines for Expert Depositions and ***Daubert*** Motions (Filing No. 204) is granted in part and denied in part. The defendants shall have to **on or before August 13, 2008**, to complete the deposition of the plaintiff's damage expert. The motion is denied in all other respects.

DATED this 22nd day of July, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge